

Panaji, 18th July, 1996 (Ashada 27, 1918)

SERIES II No. 16

OFFICIAL GAZETTE



GOVERNMENT OF GOA

NOTE: There is one Extraordinary issue to the Official Gazette, Series II No. 15 dated 11-7-96 namely, Extraordinary dated 11-7-96 from pages 169 to 170 regarding Notifications from Department of Finance (Revenue and Expenditure Division) and Department of Revenue.

GOVERNMENT OF GOA Department of Irrigation

Order

No. 3/22-1/96-IRRG

Ref: Order No. 3/22-1/95-IRRG dated 7-12-1995.

In partial modification to Order referred to above, the charge of Surveyor of works, in the Office of the Chief Engineer (Irrigation) (Project), Irrigation Department, Junta House-D-III-6, will now be held by Shri S. Sekar, Executive Engineer, Works Division VI, in addition to his own duties with immediate effect.

By order and in the name of the Governor of Goa.

Smt. A. Menezes, Under Secretary (Irrigation).

Panaji, 30th January, 1996.

Department of Labour

Order

No. 28/65/95-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between M/s. Kadamba Transport Corporation Ltd., Panaji-Goa, and their workman Shri Maruthi R. Naik, in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

- (1) "Whether the action of M/s. Kadamba Transport Corporation Ltd., Panaji-Goa in terminating the

services of Shri Maruthi R. Naik, Conductor, with effect from 13-12-91 is legal and justified?

- (2) If not, to what relief the workman is entitled?"

By order and in the name of the Governor of Goa.

J. M. de Almeida, Jt. Secretary (Labour).

Panaji, 30th January, 1996.

Order

No. 28/66/95-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Vilman Packagings Pvt. Ltd., Bethora Industrial Estate, Ponda, and their workman Shri Rohidas Gaonkar in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act') the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu at Panaji-Goa, constituted under section 7-A of the said Act.

SCHEDULE

- (1) Whether the action of the management of M/s. Vilman Packagings Pvt. Ltd., Bethora Industrial Estate, Bethora, Ponda, Goa, in refusing employment to Shri Rohidas Gaonkar with effect from January, 1994 is legal and justified?

- (2) If not, to what relief the workman is entitled?

By order and in the name of the Governor of Goa.

J. M. de Almeida, Jt. Secretary (Labour).

Panaji, 30th January, 1996.

Order

No. 21-33/91-LAB

On the recommendation of Departmental Promotion Committee and approved by the Goa Public Service Commission vide their letter No. COM/II/11/28(1)/93 dated Nil, Government is pleased to promote the following Deputy Labour Commissioners in the office of the commissioner for Labour, on regular basis w. e. f. 19-04-96:—

1. Shri S. A. Deshpabhu.
2. Shri B. B. Naik.

The above officers shall be on probation for a period of two years from the date of appointment.

By order and in the name of the Governor of Goa.

J. M. de Almeida, Jt. Secretary (Labour).

Panaji, 21st May, 1996.

Department of Mines

Order

No. 96/233/88-Mines

In exercise of the powers conferred by sub-section (2) of section 8 of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act 67 of 1957), read with sub-rule (2) of rule 24A of the Mineral Concession Rules, 1960, the Government of Goa hereby renews the Mining lease in favour of V. M. Salgaocar & Bro. Ltd. (hereinafter referred to as 'The Lessee'), for undertaking Mining operation for Fer/Mang in the area shown in the schedule appended to this Order for a period of 17 years 7 months and 1 day (from 22-11-1987 to 22-6-2005) subject to the special conditions as laid down hereunder to be incorporated in the lease deed which shall be executed by the Lessee and the Governor of Goa:—

1. The Lessee shall carry out at his expenses such experiments on remedial measures as directed by the Director of Industries and Mines, Government of Goa or any other officer authorised by him and shall report the result to him.
2. The Lessee shall allow, co-operate with and provide all facilities to the experts authorised by the Government to carry out research work or experiments on remedial measures in his leased area or dumping sites.
3. The Lessee shall, at his own expenses undertake remedial measures to the satisfaction of the Director of Industries and Mines, Government of Goa (hereinafter called Director of Industries and Mines) to prevent damage to the agricultural or forest land due to the flow of Mining rejection or wastes for slimes resulting from his mining operations, within a reasonable time or such time as may be directed by the Director of Industries and Mines.
4. If the Director of Industries and Mines or the officer authorised by him in this behalf, is of the opinion that any active dump causes or will cause damage to the agricultural or forest land, which cannot be prevented, he may by order in writing, direct to stop further dumping on such dump. No such order shall however be made unless the Lessee is afforded a reasonable opportunity of stating his case.
5. The Lessee shall undertake to rehabilitate the land left over after the mining operations are concluded, through soil conservation measures to the satisfaction of the Government and within such reasonable time as the Government may by an order in writing specify.
6. In the event of the failure on the part of the Lessee to undertake the aforesaid measures within the stipulated period, the Government without prejudice to any other action it may take against the Lessee, may take the requisite steps to rehabilitate the said land and recover the expenses incurred for such work from the Lessee as arrears of land revenue.
7. The Lessee shall undertake necessary measures to consolidate the dumps by planting suitable species of grass, legumes, or trees, etc. as may be directed by the Director of Industries and Mines, from time to time.
8. The Lessee shall undertake to plant elsewhere within the leased area at least as many trees as are removed during the mining operations.
9. The Lessee shall not dump or allow it to be dumped any rejects at any point within a distance of 100

metres from the bank of any river or nallah and 50 metres from the lease boundary, except with the previous written permission of the Government.

10. The Lessee shall not discharge or allow it to be discharged any muddy and slimy water from the beneficiation/washing plant and shall provide settling tanks or proper design and adequate capacity for settling solids so that only decanted water may overflow.
11. The Lessee shall undertake the work of desilting of drains and streams outside the leased area periodically to prevent them from being choked and shall provide check dams to facilitate the settling of suspended solids.
12. The Lessee shall take necessary steps not to overload or allow it to be overloaded the trucks carrying the ore/rejects from the leased area to any loading point or stockyard.
13. The Lessee shall make and pay such reasonable compensation to the owner or tenant or occupant of the land or property situated in the leased area or in the vicinity of the leased area which is damaged or injured or disturbed as a result of mining operation or due to the flow of mining rejects, slimes or wastes from the mine as the case may be, as may be assessed by the Collector South Goa in accordance with the law in force on the subject and shall indemnify or keep indemnified fully and completely the Government against all claims which may be made by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection therewith.
14. The Lessee shall obtain surface rights or obtain consent of the owner/occupier of land before entering the land for commencement of mining operations in the area.
15. Legal status of forest land will remain unchanged.
16. Compensatory afforestation to be raised over the degraded forest land twice in extent to the forest area to be broken up afresh at the cost of the user agency.
17. Additional dues if any, in the cost estimates of raising compensatory afforestation over double degraded forest land as per present wage structure shall be deposited by the user agency in favour of the Forest Department immediately.
18. Compensatory afforestation to be raised over degraded forest area equivalent to the area being kept as buffer zone (53.15 ha.) in a phased manner at the cost of the user agency by raising plantations over 1/10th of the area every year.
19. Mine area reclamation and revegetation should be carried out concurrently to the maximum extent possible.
20. Top soil should be preserved and used for carpeting the reclaimed mine area. Care should be taken to preserve the nutrient value of the top soil during storage.
21. Effective pollution control measures with respect to air quality, water quality and noise level should be implemented.
22. Stable protective wall should be constructed around the rejection dump and other protective measures be taken to minimise the adverse impacts due to wash-off from rejection dump.
23. Regular monitoring of environmental parameters should be carried out and report submitted to Regional Office of this Ministry and State Pollution Control Board periodically.
24. Adequate fund provision should be made for implementation of above measures.
25. The forest land should not be used for any purpose other than specified in the proposal.

V. M. Salgaocar & Bro. Ltd., shall on peril of revocation of this order execute within a period of 180 days from the date of communication of this order a deed of lease as contemplated under rule 31 of the Mineral Concession Rules, 1960.

SCHEDULE

| District | Taluka | Village | Area in hectares | T. C. No. |
|-----------|---------|---------|------------------|-----------|
| South Goa | Sanguem | Aglote | 100.00 ha. | 19/52 |

By order and in the name of the Governor of Goa.

J. M. de Almeida, Joint Secretary (Mines).

Panaji, 8th January, 1996.

Department of Power

Notification

No. 2/14/84-Power(A)

In exercise of the powers conferred by Section-6 of the Goa, Daman and Diu Electricity Duty Act, 1986 (Act 7 of 1986) (hereafter called the said Act), the Government of Goa, having considered it necessary in the public interest to do so, the consumers who are industrial units having their own captive power generation plants, from payment of the whole of the duty payable under the said Act, subject to the condition that such consumers can make an application in Form 'A' appended to the Goa, Daman and Diu Electricity Duty Rules, 1987 (hereinafter called the said Rules), to the Chief Electrical Engineer, Vidyut Bhavan, Panaji, Goa, for availing the benefit provided above. The concerned consumers shall also furnish to the Chief Electrical Engineer or to his subordinates any other information as provided in the various provisions of the said Rules.

This notification shall come into force with effect from the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

Smt. A. Menezes, Under Secretary (Power).

Panaji, 17th June, 1996.

Notification

No. 2/14/84-Power

In exercise of the powers conferred by Section-6 of the Goa, Daman and Diu Electricity Act 1986 hence-forth called the said Act (Act No. 7 of 1986) the Government of Goa, having considered it necessary in the public interest to do so hereby exempts from payment of whole duty payable under the Act, by the consumers who are industrial units manufacturing sugar, managed and run by the Co-operative Societies, registered under the Maharashtra Co-operative Societies Act, 1960 (Maharashtra Act-24 of 1961) as in force in the State of Goa from payment of the whole of the duty payable under the said Act with retrospective effect from the year 1986-87.

By order and in the name of the Governor of Goa.

Smt. A. Menezes, Under Secretary (Power).

Panaji, 17th June, 1996.

Department of Public Works

Order

No. 7/14-5/86-PWD

Read:- 1) Govt. order No. 7/14-4/85-PW&UD-II dated 26-7-91.

- 2) Govt. order No. 7/14-4/85-PW&UD-III dated 26-7-91.
- 3) Govt. order No. 7/14-4/85-PW&UD-IV dated 26-7-91.
- 4) Govt. order No. 7/14-4/85-PW&UD-V dated 26-7-91.
- 5) Govt. order No. 7/14-5/86-PWD dated 4-4-95.

Government is pleased to extend the ad hoc appointment of the following thirty three Assistant Engineers/Assistant Surveyor of Works (Civil/Mech/Elect.) in the Public Works Department ordered vide Government orders referred to above (from Sr. No. 1 to 4) for a further period of 4 months beyond 1-10-1995 i.e. upto 31-1-1996 on the same terms and conditions as stipulated in the aforesaid orders.

| Sr. No. | Name | Designation |
|---------|-------------------------------|-------------------------------------|
| 1. | Shri J. H. Kamble | Assistant Engineer (Civil) |
| 2. | " Madhav H. Raichurkar | — do — |
| 3. | " Sharad V. Nalk | — do — |
| 4. | " Nagvesh V. Kamat | — do — |
| 5. | " Venkanna Dessai | — do — |
| 6. | " G. R. Raman | — do — |
| 7. | " Anil V. Vernekar | — do — |
| 8. | " Gopa. R. Babshet | — do — |
| 9. | " M. V. Gaonkar | — do — |
| 10. | " Madhli Lokesh | — do — |
| 11. | " S. P. Jadhav | — do — |
| 12. | " T. G. Patil | — do — |
| 13. | " B. A. Chowgule | — do — |
| 14. | " S. Ramchandran | — do — |
| 15. | " Vijay V. Joglekar | — do — |
| 16. | " S. V. Sathardekar | — do — |
| 17. | " Pundalik P. Raikar | — do — |
| 18. | " D. S. Gaonkar | — do — |
| 19. | " Satish Tirotkar | — do — |
| 20. | " R. Tulseedhran Pillai | — do — |
| 21. | " C. A. Joseph | — do — |
| 22. | " K. H. Kamaladini | — do — |
| 23. | " M. V. Paravitimath | — do — |
| 24. | " Raju Mohan Pandit | — do — |
| 25. | " Shripad B. Naik Alornekar | — do — |
| 26. | " Sadanand Arolkar | — do — |
| 27. | " Vallaph G. Shenvi Velingkar | — do — |
| 28. | " Shivanand S. Salekar | — do — |
| 29. | " Dilip V. Mulgaonkar | — do — |
| 30. | Shri Bharat R. Nalk | Assistant Engineer (Mech. & Elect.) |
| 31. | " R. A. Custodio Barreto | — do — |
| 32. | " S. N. Patil | — do — |
| 33. | " V. V. Shankardas | — do — |

This issues with the approval of Goa Public Service Commission conveyed vide their letter No. COM/II/11/36 (1)/92 dated 25-10-1995.

By order and in the name of the Governor of Goa.

Smt. A. Menezes, Under Secretary (P.W.D.).

Panaji, 3rd November, 1995.

Department of Revenue

Order

No. 36-1-96/RD(2579)

In exercise of the powers conferred by clause (b) of Sub-Section (1) of Section 9 of the Indian Stamp Act, 1899 (Central Act 2 of 1899) the Government of Goa hereby authorises the Company as specified in column 1 of the Schedule appended hereto, to consolidate the stamp duty chargeable under Article 19 of Schedule I-A of the Indian Stamp (Goa Amendment) Act, 1993 on the instruments as shown against the said Company in column 2 of the said Schedule.

SCHEDULE

| Name of the Company | Particulars of Instruments |
|---|----------------------------|
| 1. | 2. |
| E'l Dorado Share Services Private Ltd., Panaji. | 42,804 Share Certificates. |

By order and in the name of the Governor of Goa.

Maria A. Rodrigues, Under Secretary (Revenue).

Panaji, 22nd May, 1996.

Notification

No. 22/65/95-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule appended hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Imp. & B/T of Internal roads in Macazana and Guirdolim village of Salcete Taluka.

Now, Therefore, the Government hereby notifies, under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector, appointed under paragraph 4 below, after the date of the publication of this notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act, the Deputy Collector/S. D. O., Collectorate of South Goa District, Margao to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorises, under sub-section (2) of section 4 of the said Act, the following Officers to do the acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao.
2. The Deputy Collector/S. D. O., Collectorate of South Goa District, Margao.
3. The Executive Engineer, Division VI (Roads-South), P. W. D., Fatorda, Margao.
4. The Director of Settlement and Land Records, Panaji.

6. A rough plan of the said land is available for inspection in the Office of the Deputy Collector/S. D. O., Collectorate of South Goa District, Margao for a period of 30 days from the date of publication of this Notification in Official Gazette.

SCHEDULE

Description of the said land)

Taluka: Salcete

Village: Macazana

| Survey No./ Sub-Div. No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|-----------------------------|---|------------------------------------|
| 1 | 2 | 3 |
| 150/8 | O: Antonio P. Ficles D'Souza. | 750 |
| "/14 | O: Ligorio Pereira. | 510 |
| "/15 | O: — do — | 60 |
| "/16 part | O: — do — | 75 |
| 149/1 | O: — do — | 960 |
| "/2 | O: Inacio Costa. | 60 |

Taluka: Salcete

Village: Guirdolim

| | | | |
|-------|------|-----------------------------|-----|
| 169/2 | part | O: Gregorio D'Costa. | 90 |
| "/3 | " | O: Jose Gomes. | 150 |
| "/4 | " | O: Minguel Gonsalves. | 210 |
| "/5 | " | O: Alex Cardozo. | 150 |
| "/6 | " | O: Jose Gomes. | 90 |
| "/7 | " | O: Minguel Gonsalves. | 300 |
| "/8 | " | O: Jose Gomes. | 420 |
| 170/1 | " | O: Not Known. | 60 |
| "/2 | " | O: — do — | 185 |
| "/3 | " | O: Comunidade of Guirdolim. | 275 |
| "/4 | " | O: Maria A. Cardozo. | 75 |
| "/5 | " | T: Isabel D'Costa. | 60 |
| "/6 | " | O: Pora Gomes. | 60 |
| 172/1 | " | O: Pora Gomes. | 210 |
| "/2 | " | O: — do — | 450 |
| "/3 | " | O: Jose Gomes. | 450 |
| "/4 | " | T: Maria A. Cardozo. | |

Boundaries:

North: S. No. 150/8, 150/15, S. No. 149/1, 149/2, Canal and S. No. 150/16 all of Macazana village Salcete taluka and S. No. 169/2, 169/3 and 169/4 of Guirdolim village Salcete Taluka.

South: S. No. 172/2, S. No. 172/1, and 3, S. No. 170/5 & 170/4, 170/3, 170/2 and 170/1, S. No. 169/7, 169/6 and 169/5 all of Guirdolim village Salcete Taluka.

East: Road & canal.

West: S. No. 169/8 and canal.

Total: 5140

By order and in the name of the Governor of Goa.

Maria A. Rodrigues, Under Secretary (Revenue).

Panaji, 25th September, 1995.